

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Order Relates To:

All Cases.

_____ /

SPECIAL MASTER’S AND MASTER GAL’S RECOMMENDATION
FOR COURT-APPOINTED TRUST COUNSEL

Counsel for proposed Trustee Huntington National Bank has drafted proposed Special Needs Trust, Settlement Preservation Trusts (collectively “Trusts”), Joinder Agreements, and proposed investment guidelines to implement Sections 21.28.1 and 21.28.2 of the Amended Settlement Agreement.¹ (“MSA”). Pursuant to MSA Section 21.30, the Trusts are subject to review and approval by the Courts. (ECF No.1394-2, PageID.54191).

MSA Section 12.16.15 authorizes the Special Master and Master GAL to “perform such other tasks reasonably necessary to accomplish the goals contemplated by this Settlement Agreement with respect to Special Needs Trusts, Settlement Preservation Trusts and Structured Settlements.” (ECF No. 1394-2, PageID.54167).

The Special Master and Master GAL have reviewed the proposed Trusts and related materials. To assist the Courts’ review, approval, and oversight, they recommend that Henry M. Grix and Elizabeth L. Luckenbach of Dickinson Wright PLLC be appointed by the Courts as independent trust counsel to perform any and all responsibilities and functions as determined

¹ Capitalized terms in this Recommendation have the same meaning as set forth in the MSA.

reasonably and necessary by the Courts to implement the terms of the MSA relating to the Trusts. They further recommend that compensation to Dickinson Wright PLLC for its services as Trust Counsel will be made pursuant to the MSA or as ordered by the Court. Plaintiffs' Counsel and Defendants' Counsel have been advised of this recommendation and have concurred.

A proposed Order Appointing Trust Counsel is attached as Exhibit A.

Dated: July 27, 2021

Respectfully Submitted,

/s/ Deborah E. Greenspan

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CERTIFICATE OF SERVICE

I certify that on July 27, 2021 I electronically filed the foregoing document with the Clerk of Court using the Court's ECF system, which will send notification of such filing to attorneys of record.

Dated: July 27, 2021

Respectfully submitted,

/s/ Miriam Z. Wolock

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EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No.5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

**ORDER REGARDING CLAIMS NOTICE FOR MINORS AND LEGALLY
INCAPACITATED INDIVIDUALS**

Pursuant to Article XXI(B) of the Amended Settlement Agreement (ECF No. 1394-2), a Next Friend shall submit Claims Materials on behalf of a Minor or Legally Incapacitated Adult to participate in the Flint Water Settlement.¹ In connection with the claims process, the Court has reviewed and approved

1. Henry M. Grix and Elizabeth L. Luckenbach of Dickinson Wright PLLC are appointed as Trust Counsel to review and advise the Court, the Special Master, and the Master GAL, regarding the Special Needs Trust and Settlement Preservation Trust for the Minors and Legally Incapacitated Individuals contemplated by Article XXI, F, Sections 21.28.1 and 21.28.2, respectively, of the Amended Settlement Agreement (ECF No. 1394-2), and to carry out and perform any and all other responsibilities and functions as determined reasonable and necessary by the Court.
2. Compensation to Dickinson Wright PLLC for its services as Trust Counsel, as identified in this Order, shall be made at prevailing hourly rates for Henry M. Grix and Elizabeth L. Luckenbach, or other Dickinson Wright PLLC personnel, pursuant

¹ Capitalized terms in this Order, where applicable, shall have the same meaning as in the Amended Settlement Agreement.

to the Amended Settlement Agreement or as ordered by the Court. Compensation to Dickinson Wright PLLC for its services as Trust Counsel will be as provided for in the Amended Settlement Agreement or as ordered by the Court.

IT IS SO ORDERED.

Dated: _____
Ann Arbor, Michigan

JUDITH E. LEVY
United States District Judge